

MORGAN, LEWIS & BOCKIUS LLP
MICHAEL W. STEINBERG, *Pro Hac Vice* Pending
1111 Pennsylvania Avenue, NW
Washington, DC 20004
Tel: 202.739.3000
Fax: 202.739.3001
E-mail: msteinberg@morganlewis.com

*Attorney for Intervenors Superfund Settlements
Project, RCRA Corrective Action Project, and
American Petroleum Institute*

MORGAN, LEWIS & BOCKIUS LLP
BENJAMIN P. SMITH, State Bar No. 197551
One Market, Spear Street Tower
San Francisco, CA 94105
Tel: 415.442.1000
Fax: 415.442.1001
E-mail: bsmith@morganlewis.com

Local Co-Counsel for Intervenors

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SIERRA CLUB, GREAT BASIN RESOURCE
WATCH, AMIGOS BRAVOS, and IDAHO
CONSERVATION LEAGUE,

Plaintiffs,

vs.

STEPHEN JOHNSON, Administrator, United
States Environmental Protection Agency, and
MARY E. PETERS, Secretary, United States
Department of Transportation,

Defendants.

Case No. C-08-01409-WHA

PROOF OF SERVICE

PROOF OF SERVICE

I, Eileen H. Yemoto, declare:

I am a resident of the State of California and over the age of eighteen years, and not a party to the within action; my business address is One Market, Spear Street Tower, San Francisco, CA 94105-1126. On April 10, 2008, I served the within document(s):

- **PROPOSED INTERVENORS SUPERFUND SETTLEMENTS PROJECT, RCRA CORRECTIVE ACTION PROJECT, AND AMERICAN PETROLEUM INSTITUTE'S NOTICE OF MOTION AND MOTION TO INTERVENE; MEMORANDUM OF POINTS AND AUTHORITIES**
- **INTERVENORS SUPERFUND SETTLEMENTS PROJECT, RCRA CORRECTIVE ACTION PROJECT, AND AMERICAN PETROLEUM INSTITUTE'S DISCLOSURE STATEMENT PURSUANT TO FED. R. CIV. P. 7.1 AND CERTIFICATION OF INTERESTED ENTITIES PURSUANT TO CIVIL L.R. 3-16**
- **INTERVENORS SUPERFUND SETTLEMENTS PROJECT, RCRA CORRECTIVE ACTION PROJECT, AND AMERICAN PETROLEUM INSTITUTE'S ANSWER TO PLAINTIFFS' COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF**
- **[PROPOSED] ORDER GRANTING INTERVENORS SUPERFUND SETTLEMENT PROJECT, RCRA CORRECTIVE ACTION PROJECT AND AMERICAN PETROLEUM INSTITUTE'S MOTION TO INTERVENE**

- ☐ by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- ☒ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Francisco, California addressed as set forth below. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.
- ☐ by placing the document(s) listed above in a sealed Federal Express envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to a Federal Express agent for delivery.
- ☐ (BY PERSONAL SERVICE) I caused the envelope(s) to be delivered by hand to the addressee(s) noted below.
- ☐ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Francisco, California addressed as set forth below.



2 BY ELECTRONIC SERVICE (C.C.P. § 1010.6(a)(6)) - the parties listed below
3 were served electronically with the document(s) listed above by e-mailed PDF files
4 on April 10, 2008. The transmission was reported as complete and without error.
5 My electronic notification address is eyemoto@morganlewis.com.

6 **VIA ELECTRONIC SERVICE:**

7 Lisa Gollin Evans
8 Earthjustice
9 21 Ocean Avenue
10 Marblehead, MA 01945

11 Jan Hasselman
12 Earthjustice
13 705 Second Avenue, Suite 203
14 Seattle, WA 98104

15 Gregory C. Loarie
16 Earthjustice
17 426 – 17th Street, 5th Floor
18 Oakland, CA 94612

19 **VIA FIRST-CLASS US MAIL**

20 Peter D. Keisler
21 United States Attorney General (Acting)
22 United States Department of Justice
23 950 Pennsylvania Avenue, N.W.
24 Washington, D.C. 20530

25 Stephen Johnson
26 Administrator
27 Environmental Protection Agency
28 1101A EPA Headquarters
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Mary E. Peters, Secretary
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

15 Executed on April 10, 2008, at San Francisco, California.

16 I declare under penalty of perjury, under the laws of the State of California and the United
17 States of America, that the foregoing is true and correct.

18 Respectfully submitted,

19 /s/ Eileen H. Yemoto

20 Eileen H. Yemoto

